

WAIVER OF SERVICE OF SUMMONS

TO:

Walter PENN

(Name of plaintiff's attorney or pro se plaintiff)

I acknowledge receipt of your request that I waive service of a summons in the action of PENN vs WARNER, which is case number 1:00 CV-00771 in the United States District Court for the Middle District of Pennsylvania. I have also received a copy of the complaint in the action, two copies of this instrument and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after May 10, 2000 (date request was sent), or within 90 days after that date if the request was sent outside the United States.

May 26, 2000  
DATE

  
SIGNATURE

Printed/typed name:  
Title if any:

Maryanne M. Lewis

Deputy Attorney General

Address of Person signing: Office of Attorney General  
15th Flr., Strawberry Sq.  
Harrisburg, PA 17120

Party you represent: Def. Varner, Burnett, Deitrich, Jones, Cebrick,  
Malloy, Sutliff, Horn, Long, Larkins

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JUN 01 2000

TRANSFER-ADJUSTMENT-FORFEITURE REPORT  
DEF  
CASE NO  
FUND  
DATE  
TRNS-ADJ  
06/01/00

## TRANSFER - ADJUSTMENT - FORFEITURE REPORT

FUND CASE NO DEF

TRNS - ADJ DATE

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DIVISION THREE

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FILED  
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PER DEPUTY CLERK